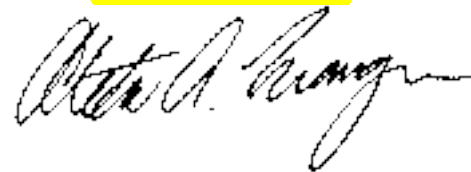


UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION



UNITED STATES OF AMERICA

)

)

v.

)

Case No. 2:21-cr-00008-1

)

Judge Trauger

THOMAS K. WEIR

)

**MOTION TO PERMIT DEFENDANT WEIR AND CLAY COUNTY CO-COUNSEL
TO PARTICIPATE IN 1/26/22 HEARING BY TELEPHONE**

COMES NOW the Defendant, **Thomas K. Weir**, by and through his undersigned counsel, and respectfully requests that this Honorable Court enter an Order permitting Messrs. Weir and White to participate in the January 26, 2022 hearing on Defendant Spivey's Motion to Continue Trial and Enlarge Deadlines by telephone. In support hereof, Co-Counsel for Defendant Weir states as follows:

1. On January 19, 2022, the Court entered an order scheduling a hearing for Thursday, January 26, 2022 at 4:00 p.m., on Co-Defendant Spivey's motion to continue trial and enlarge deadlines. (Docket Entry 55). The order directs that "[a]ll four defendants and counsel shall appear for this hearing." *Id.* at Page ID #152.

2. On January 20, 2022, James Dale White, Jr., of the Clay County Bar, entered his *Notice of Appearance* as co-counsel for Defendant Weir. Messrs. Weir and White live and work in Celina, Clay County, Tennessee. The City of Celina is located approximately 80 miles from Nashville. A long portion of the drive between Celina and Nashville is on two-lane roads. Based on counsel's experience, it typically takes approximately 2 hours and 15 minutes to drive from Nashville to Celina. The Court has scheduled a hearing for 4:00 p.m. which means that Messrs. Weir and White will be traveling in the dark and arriving home late in the evening.